

Notice of Allowability

Application No.

09/737,517

Examiner

Wes Tucker

Applicant(s)

FISHER ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 7-2-2004.
2. ☒ The allowed claim(s) is/are 1-45.
3. ☒ The drawings filed on 13 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jon Chang
Primary Examiner

DETAILED ACTION

Response to Amendment

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 7th 2004 has been entered.

Applicant's arguments, see Remarks, filed Jun 6th, 2004, with respect to independent claims 1, 19, 37, and 40 have been fully considered and are persuasive. The rejection of claims 1-45 has been withdrawn.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

The independent claims 1, 19, 37, and 40 were previously rejected in view of U.S. Patent 5,948,040 to DeLorme et al. DeLorme discloses a geographical special interest guide that categorizes images and other digital data with different geographical locations. DeLorme does not disclose receiving the digital images submitted by a user from an electronic device controlled by the user. In the TRIPS embodiment disclosed

by DeLorme, the user may browse different images and other data associated with geographical locations but it is not taught or fairly suggested that the user may submit images to the TRIPS database.

Many file sharing or submitting applications are known in the art of image processing. An example of such an application is U.S. Patent 6,324,538 to Wesinger Jr. et al. Wesinger discloses requesting and receiving data and images from users and publishing the data and images according to specified categories (column 2, line 60-column 3, line 40). However Wesinger does not teach or fairly suggest categorizing data according to a geographical special interest guide. Therefore there is no apparent obvious combination or motivation to combine the geographical special interest guide of DeLorme and the capability of allowing user submission of images taught by Wesinger.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art

Other prior art considered relevant but not relied upon is as follows:

U.S. Patent 5,852,810 to Sotiroff et al. is a geographic specific information guide where users can query a map interface to find out about housing etc. in an area of the map. The guide also allows property managers to update the pictures etc. of the areas for display. However the property managers are considered an administrative user and are not interpreted as allowing a user to submit images.

U.S. Patent 6,240,360 to Phelan discloses a system for providing information associated with map categories, but does not allow for users to submit images or data.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 703-305-6700. The examiner can normally be reached on 9AM-5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wes Tucker

11-23-04


Jon Chang
Primary Examiner